

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RICKY B. MOOREFIELD,)
Petitioner,)
)
vs.) Civil action No. 06-541
) Judge Terrence F. McVerry/
JAMES L. GRACE, Superintendent;) Magistrate Judge Amy Reynolds Hay
DISTRICT ATTORNEY OF THE)
COUNTY OF ALLEGHENY; PA STATE)
ATTORNEY GENERAL,)
Respondents.)

O R D E R

AND NOW, this 26th day of March, 2007, after the petitioner, Ricky B. Moorefield, filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the petition and the record and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by Ricky B. Moorefield [Dkt. No. 6] is denied and a certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: Ricky B. Moorefield
ED-4229
SCI Huntingdon
1100 Pike Street
Huntingdon, PA 16654-1112

Rebecca D. Spangler, Esquire
Email: Rebecca.Spangler@da.allegheny.pa.us

Honorable Amy Reynolds Hay
United States Magistrate Judge